IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1603 OF 2005
IN
SUMMARY SUIT NO.2062 OF 2005

Kishordas S. Mehta. ..Plaintiff.
Vs.
Alaknanda Stainless Ltd. and ors. ..Defendants.

Mr.H.V.Chande for the Plaintiff.
Mr. J.P. Shah i/by A.S.Khan & Associates for the Deft.No.1.

CORAM : R.S. MOHITE,J.
DATED : 19/8/2006.

P.C.

1. This chamber summons is taken out by the defendant No.1 in Summary Suit for condonation of delay in filing Vakalatnama. The delay is of 105 days. The explanation is that summons were addressed to the factory address at Ahmedabad. The factory was closed down and it was accepted by the security personnel of adjoining company. The prayer is opposed in the reply on the footing that the affidavit is vague and the name of the person who has accepted the summons or the company where he was working is not mentioned. Be that as it may, in the interest of justice, chamber summons should be allowed subject to costs. Chamber summons is therefore, made absolute in terms of prayer clause (a) subject to payment of costs of Rs.1000/- to the plaintiff. Costs should be paid within two weeks from today. Vakalatnama already filed will be treated as Vakalatnama in the suit as valid Vakalatnama.

(R. S. MOHITE, J.)